

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAJUAN L. BALL,

Defendant.

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8:11CR136

ORDER

This matter is before the court on defendant's MOTION TO WITHDRAW AND MOTION EXTEND TIME IN WHICH TO FILE PRETRIAL MOTIONS [17]. For good cause shown, I find that the motion to withdraw and the motion to extend time should be granted. The defendant will be given an approximate 20-day extension. Pretrial Motions shall be filed by June 30, 2011.

IT IS ORDERED:

1. Defendant's MOTION TO WITHDRAW [17] is granted. The appearance of Jeffrey L. Thomas and the office of the Federal Public Defender is hereby withdrawn. The Court will appoint new counsel.

2. Defendant's MOTION TO EXTEND TIME IN WHICH TO FILE PRETRIAL MOTIONS [17] is granted. Pretrial motions shall be filed on or before **June 30, 2011**.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between June 9, 2011 and June 30, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 10th day of June, 2011.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**